

CODE ENFORCEMENT SPECIAL MASTER MEETING
August 12, 2015

MINUTES

SPECIAL MASTER:

Charles D. Johnson

CODE ENFORCEMENT STAFF:

Dennis Bunt, Code Enforcement Supervisor
Stan Wilson, Code Enforcement Officer
Lisa Grider, Code Enforcement Officer
Ron Collodi, Code Enforcement Manager
Jamie Davis, Public Hearing Coordinator

BUILDING DEPARTMENT STAFF:

Tony Lopresto, Chief Inspector
Glen Guzman, Licensing Investigator
Joann Sala, Licensing Investigator
Tina Chavez, Office Associate

ANIMAL CONTROL STAFF:

Danielle Conger, Animal Control Officer
Sharon Beardsley, Animal Control Officer
Bonnie Loomis, Animal Control Officer

STAFF ATTORNEY:

Erin Hartigan, Assistant County Attorney
Melanie Marsh, Deputy County Attorney

Charles D. Johnson called the meeting of the Special Master to order at 8:56 AM.

Erin Hartigan announced the changes to the agenda. Item 1 on the Code Enforcement agenda had cleared and Item 2 was postponed. Item 5 under Old Business was removed from the agenda. Items 8 and 13 on the Building Services agenda were postponed, and Items 20, 22, and 23 were cleared.

Staff was sworn in by Charles Johnson.

Code Enforcement:

ITEM 3

Ronald M. Strohl, SM-2015-04-0238

Respondent was not present.

Attorney Eric Swenk was present on behalf of JP Morgan Chase.

Erin Hartigan stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement" (IMPC 303, 303.1, 303.2) and Section 14-55 "Declaration of Nuisance and Prohibited Conditions". Staff recommended the Special Master find the Respondent in violation of these sections and grant 14 days to come into compliance or a fine of \$100.00 per day to begin on the 15th day.

Mr. Swenk requested 30 days to bring the property into compliance.

File was entered into evidence.

Officer Stan Wilson testified to the facts of the case.

Special Master Charles D. Johnson found the Respondent in violation and granted 30 days to come into compliance.

ITEM 4

Tammy Hobbs, SM-2008-07-425

Attorney Melanie Marsh presented the case to the Special Master to request a release of this certain property from the County's lien that encumbers all properties owned by Marshall Gaard.

Special Master Charles D. Johnson agreed to sign the Order.

ITEM 6

Bonnie & James Cain, SM-2012-05-0086

Erin Hartigan stated the facts of the case. Staff requested the Special Master approve this property for possible foreclosure. Erin Hartigan stated that Bonnie Cain has stated she wishes to deed her share of the property over to the County. There is no homestead on this property.

Officer Lisa Grider testified to the facts of the case.

Special Master approved the property for foreclosure.

Building Dept:

ITEM 7

Evelyn Odoms, SM-2014-07-0160

Respondent was present and sworn.

Erin Hartigan stated the facts of the case and that staff can recommended a 50% reduction of the fine.

Ms. Odoms testified to the facts of the case.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson ordered that the fine be reduced to \$2,800.00 and must be paid within 6 months.

ITEM 9

Assets by Design, LLC, SM-2015-01-0100

Respondent was not present.

Erin Hartigan stated this case is charging the owners with violation of Section 14.14.03 “Building and Sign Permits”, and Section 6-22 “Adoption and Enforcement” (IMPC 108.1., 108.1.5). Staff recommended the Special Master find the Respondent in violation of these sections and grant 30 days to come into compliance or a fine of \$250.00 per day to begin on the 31st day.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson accepted staff’s recommendation.

ITEM 10

Mitchell Schutt, SM-2015-03-0175

Respondent was not present.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 “Building and Sign Permits”. Staff recommended the Special Master find the Respondent in violation of this section and grant 14 days to come into compliance or a fine of \$100.00 per day to begin on the 15th day.

File was entered into evidence.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson accepted staff's recommendation.

ITEM 11

Karen Cartwright & John Swingle, SM-2015-03-0208

Respondents were not present.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 "Building and Sign Permits". Staff stated that the Respondents are now in compliance with this Section and requested the Special Master order the Respondents to remain in compliance.

File was entered into evidence.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson accepted staff's recommendation.

ITEM 12

Vera Hart, SM-2015-01-0097

Respondent was present and sworn.

Erin Hartigan stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement" (IMPC 108.1., 108.1.5). Staff recommended the Special Master find the Respondent in violation of this section and grant 30 days to come into compliance or a fine of \$250.00 per day to begin on the 31st day.

File was entered into evidence.

Officer Joann Sala testified to the facts of the case.

Vera Hart testified to the facts of the case.

Special Master Charles D. Johnson found the Respondent in violation and granted 90 days to come into compliance. If Respondent is making substantial efforts to come into compliance she may request additional time prior to the 90 days expiring. If Respondent is not in compliance within the 90 days or has not requested additional time a fine of \$250.00 will begin on the 91st day.

ITEM 15

Melvin Mallety, SM-2014-10-0116

Respondent was not present.

Erin Hartigan stated this case is charging the owner with violation of Section 6-22 "Adoption and Enforcement" (IMPC 108.1., 108.5). Staff recommended the Special Master find the Respondent in violation of this section and grant 30 days to comply or a fine of \$250.00 per day to begin on the 31st day.

File was entered into evidence.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson accepted staff's recommendation.

ITEM 16

Wayne & Tammy Goodridge, SM-2014-06-0054

Respondents were not present.

Special Master Charles D. Johnson recused himself from this case due to conflict.

This case will be heard by the alternate Special Master.

ITEM 17

Cynthia Frank, SM-2015-03-0241

Respondent was present and sworn.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 "Building and Sign Permits". Staff recommended the Special Master find the Respondent in violation of this section and grant 10 days to come into compliance or a fine of \$100.00 per day to begin on the 11th day.

Officer Joann Sala testified to the facts of the case.

Cynthia Frank testified to the facts of the case.

Edward Frank was present and sworn and offered testimony.

Special Master Charles D. Johnson found the Respondent in violation and ordered that the stop work order remain in effect and abated the fine so long as no work continues on this property.

ITEM 18

Florida National Mortgage Assn, SM-2015-03-354

Sam Borrelli who stated he is the senior listing agent for the property was present and sworn.

File was entered into evidence.

Mr. Borelli requested 30 days to bring the property into compliance.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson granted 30 days to come into compliance. Respondent may request additional time prior to the 30 days expiring if substantial efforts are being made. If the property is not in compliance within the 30 days or no additional time has been requested, a fine of \$100.00 per day will begin on the 31st day.

ITEM 19

Fiddlers Green Ranch LLC, SM-2015-04-0118

Respondents were not present.

File was entered into evidence.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 “Building and Sign Permits”. Staff recommend the Special Master find the Respondent in violation of this section and grant 90 days to comply or a fine of \$100.00 per day to begin on the 91st day. Erin Hartigan stated that the Respondents have hired counsel and they are agreeable to the recommended timeframe.

Officer Joann Sala testified to the facts of the case.

Special Master Charles D. Johnson accepted staff’s recommendation.

ITEM 21

Justin Rawls, SM-2015-03-0366

Respondent was not present.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 “Building and Sign Permits”. Staff recommended the Special Master find the Respondent in violation of this section and grant 10 days to come into compliance or a fine of \$100.00 per day to begin on the 11th day.

File was entered into evidence.

Officer Glen Guzman testified to the facts of the case.

Special Master Charles D. Johnson accepted staff’s recommendation.

ITEM 24**William & Debra Elder, SM-2015-03-0363**

Respondents were not present.

Alan Elder was present and was agreeable to staff's recommendation.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 "Building and Sign Permits". Staff recommended the Special Master find the Respondents in violation of this section and grant 60 days to come into compliance or a fine of \$100.00 per day to begin on the 61st day.

File was entered into evidence.

Officer Glen Guzman testified to the facts of the case.

Special Master Charles D. Johnson accepted staff's recommendation.

ITEM 25**Kurt & Helen Dumond, SM-2015-02-0195**

Respondents were not present.

Erin Hartigan stated this case is charging the owner with violation of Section 14.14.03 "Building and Sign Permits" Staff recommended the Special Master find the Respondents in violation of this section and grant 10 days to come into compliance or a fine of \$100.00 per day to begin on the 11th day.

File was entered into evidence.

Officer Glen Guzman testified to the facts of the case and changed his recommendation to grant 30 days to comply.

Special Master accepted staff's recommendation of 30 days.

Animal Services:**ITEM 26****Gary Lanzendorf, SM-AS-1149-15**

Respondent was not present.

Erin Hartigan stated this case is charging the owner with violation of Section 4-28 "Attack or Bite to Persons and/or Animals". Erin Hartigan stated that Respondent should also be cited for violation of Section 4-27 "Nuisance Animals". Staff recommended the Special Master find the Respondent in violation of both sections and impose a fine of \$2,650.00.

Officer Bonnie Loomis testified to the facts of the case.

Vanessa Cowdrey was sworn and testified.

Victor Garza was sworn and testified.

Special Master Charles D. Johnson found the Respondent in violation of Section 4-28 and impose a fine of \$1,000.00.

ITEM 27

Janice Schettler, SM-AS-1307-15

Respondent was present and sworn. Attorney Hal Uhrig was present and represented Ms. Schettler.

Erin Hartigan stated this case is charging the owner with violation of Section 4-34 "Confinement of Animal in Vehicle". Staff recommended the Special Master find the Respondent in violation of this section and impose a fine of \$500.00.

Officer Danielle Conger testified to the facts of the case.

Attorney Uhrig cross-examined Officer Conger and submitted evidence.

Janice Schettler testified to the facts of the case.

Erin Hartigan present a closing argument

Attorney Uhrig presented closing argument

Special Master Charles D. Johnson will submit a written order with his findings.

ITEM 28

Albert Watkins, SM-AS-1150-15

Respondent was not present.

Erin Hartigan stated this case is charging the owner with violation of Section 4-28 "Attack or Bite to Persons and/or Animals", Section 4-35 "Rabies Vaccination Required" and Section 4-36 "Rabies Certificate and County Tag". Staff recommended the Special Master find the Respondent in violation of these sections and impose a fine of \$1,200.00.

Officer Bonnie Loomis testified to the facts of the case.

Officer Theresa Graham was sworn and testified.

Officer Dan Post was sworn and testified.

Special Master found the Respondent in violation and imposed a fine of \$800.00.

ITEM 29

Don Lukich, SM-AS-1191-15

Respondent was present and sworn.

Special Master Charles D. Johnson stated that he knows the Respondent and complaints and will recuse himself if the parties desire.

Parties did not object to Special Master Charles D. Johnson hearing this case.

Erin Hartigan stated this case is charging the owner with violation of Section 4-27 “Nuisance Animals” and Section 4-28 “Attack or Bite to Persons and/or Animals”. Staff recommended the Special Master find the Respondent in violation of these sections and impose a fine of \$1,000.00.

Officer Sharon Beardsley testified to the facts of the case.

Don Lukich testified to the facts of the case and submitted proof of rabies vaccination to the court.

Ronald Nowak was sworn and testified.

Judith Nowak was sworn and testified.

Special Master Charles D. Johnson found the Respondent in violation and imposed a fine of \$400.00.

ITEM 30

Stephanie & Kristi McCall, SM-AS-1144-15

Respondents were present and sworn.

Erin Hartigan stated this case is charging the owners with violation of Section 4-27 "Nuisance Animals" and Section 4-28 "Attack or Bite to Persons and/or Animals". Staff recommended the Special Master find the Respondents in violation and impose a fine of \$2,650.00.

Officer Sharon Beardsley testified to the facts of the case.

Steven Kane was sworn and testified.

Lana Kane was sworn and testified.

Special Master Charles D. Johnson stated he will issue a written Order.

As there was no further business, meeting was adjourned at 12:20 P.M.

Respectfully submitted,

Jamie Davis, Recording Secretary